

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

STANLEY J. CATERBONE :  
Petitioner, : CIVIL ACTION NO. 18-5139  
v. :  
LANCASTER COUNTY COURT OF :  
COMMON PLEAS, and THE DISTRICT :  
ATTORNEY OF THE COUNTY OF :  
LANCASTER, PA, :  
Respondents. :

**ORDER**

**AND NOW**, this 29th day of January, 2019, after considering the petition for a writ of habeas corpus under 28 U.S.C. § 2254 filed by the *pro se* petitioner, Stanley J. Caterbone (Doc. No. 8); and, for the reasons set forth in the separately filed memorandum opinion, it is hereby **ORDERED** as follows:

1. The petition for a writ of habeas corpus under 28 U.S.C. § 2254 (Doc. No. 8) is **DISMISSED WITHOUT PREJUDICE** to the petitioner to file a new petition after fully exhausting his state court remedies;
2. There is no cause to issue a certificate of appealability; and
3. The clerk of court shall mark this matter as **CLOSED**.

BY THE COURT:

/s/ *Edward G. Smith*  
EDWARD G. SMITH, J.